

## UNITED STATES DISTRICT COURT

District of \_\_\_\_\_

Eric Kelley  
Plaintiff

V.

Sheriff DiPaulo et al.  
DefendantAPPLICATION TO PROCEED  
WITHOUT PREPAYMENT OF  
FEES AND AFFIDAVIT

CASE NUMBER: \_\_\_\_\_

I, Eric Kelley declare that I am the (check appropriate box)  
☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No," go to Part 2)If "Yes," state the place of your incarceration Billerica H.O.C.Are you employed at the institution? no Do you receive any payment from the institution? no

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes ☒ Noa. If the answer is "Yes," state the amount of your take home salary or wages and pay period and give the name and address of your employer. n/a

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

SSDI \$580.00 monthly

3. In the past 12 twelve months have you received any money from any of the following sources?

- |   |                              |  |
|---|------------------------------|--|
| a. Business, profession or other self-employment  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends           | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments    | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances                          | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| f. Any other sources                              | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

n/a

AO 240 Reverse (Rev. 10/03)

4. Do you have any cash or checking or savings accounts?

☐ Yes☒ No

If "Yes," state the total amount. \_\_\_\_\_

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? ☐ Yes ☒ No

If "Yes," describe the property and state its value.

N/A

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

none

I declare under penalty of perjury that the above information is true and correct.

5/28/04

Date

Eric H. J. Kelly

Signature of Applicant

**NOTICE TO PRISONER:** A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

Attorney's

certified statement (for every 6 months)

## Account Activity Ledger

From : 08/14/2003 To : 05/21/2004

Comment	Trx Date	Time	Batch /Inv #	Trx Type	Invoice	Deposit	Withdrawal	Balance Forward
<b>ID 104549</b>	<b>Name</b>	<b>KELLEY, ERIC H</b>	<b>Block</b>	<b>C10</b>	<b>Previous Balance</b>	<b>0.00</b>		
Imported Entry	08/14/2003	16:53	B#56441	D		0.00		0.00
Sales Transaction	08/22/2003	12:05	I#670449	I	0.00			0.00
Sales Transaction	09/10/2003	13:56	I#672526	I	0.00			0.00
Sales Transaction	09/17/2003	12:22	I#673315	I	0.00			0.00
Sales Transaction	09/25/2003	11:25	I#674239	I	0.00			0.00
Sales Transaction	10/01/2003	12:17	I#674879	I	0.00			0.00
Sales Transaction	10/08/2003	12:25	I#675708	I	0.00			0.00
Sales Transaction	10/15/2003	14:43	I#676557	I	0.00			0.00
Sales Transaction	10/22/2003	11:58	I#677354	I	0.00			0.00
Sales Transaction	10/29/2003	09:56	I#678158	I	0.00			0.00
ATTY. EVA CLARK	11/01/2003	14:26	B#57635	D		25.00		25.00
VICTIM WITNESS FEE	11/01/2003	14:26	B#57635	W			-25.00	0.00
Sales Transaction	11/05/2003	09:53	I#678872	I	0.00			0.00
Sales Transaction	11/12/2003	14:02	I#679678	I	0.00			0.00
Sales Transaction	11/19/2003	09:56	I#680505	I	0.00			0.00
ART CONTEST WINNER	12/01/2003	10:12	B#58093	D		15.00		15.00
VICTIM WITNESS FEE	12/01/2003	10:12	B#58093	W			-15.00	0.00
Sales Transaction	12/02/2003	13:50	I#682100	I	0.00			0.00
18 JOB COORDINATOR	12/05/2003	14:35	B#58189	D		26.00		26.00
Sales Transaction	12/10/2003	09:12	I#682911	I	25.94			0.06
Sales Transaction	12/17/2003	09:08	I#683815	I	0.00			0.06
Sales Transaction	12/23/2003	13:33	I#684612	I	0.00			0.06
Sales Transaction	12/30/2003	11:20	I#685353	I	0.00			0.06
Sales Transaction	01/06/2004	14:03	I#686207	I	0.00			0.06
2003 MODS CHRISTMAS	01/13/2004	10:33	B#58734	D		7.00		7.06
VICTIM WITNESS FEE	01/13/2004	10:33	B#58734	W			-7.00	0.06
18 JOB COORDINATOR	01/20/2004	11:09	B#58841	D		14.30		14.36
Sales Transaction	01/21/2004	11:52	I#687843	I	14.13			0.23
Sales Transaction	02/04/2004	09:04	I#689425	I	0.00			0.23
Sales Transaction	02/10/2004	14:36	I#690286	I	0.00			0.23
02 LAUNDRY MDII	02/17/2004	10:14	B#59308	D		7.80		8.03
Sales Transaction	02/18/2004	11:35	I#691108	I	7.83			0.20
Sales Transaction	02/25/2004	13:18	I#692075	I	0.00			0.20
Sales Transaction	03/03/2004	08:42	I#692895	I	0.00			0.20
Sales Transaction	03/11/2004	12:02	I#693981	I	0.00			0.20
02 LAUNDRY MDII	03/15/2004	10:59	B#59743	D		26.00		26.20
Sales Transaction	03/18/2004	09:59	I#694830	I	22.25			3.95
Sales Transaction	03/25/2004	09:15	I#695670	I	3.52			0.43
Sales Transaction	04/01/2004	12:25	I#696587	I	0.00			0.43
Sales Transaction	04/08/2004	09:29	I#697409	I	0.22			0.21
Sales Transaction	04/15/2004	12:20	I#698325	I	0.00			0.21
Sales Transaction	04/22/2004	09:26	I#699072	I	0.00			0.21

over 43.00

## Account Activity Ledger

Time : 13:30

From : 08/14/2003 To : 05/21/2004

Comment	Trx Date	Time	Batch /Inv #	Trx Type	Invoice	Deposit	Withdrawal	Balance Forward
ID 104549	Name	KELLEY, ERIC H		Block	C10	Previous Balance		0.21
Sales Transaction	04/29/2004	13:30	I#700046	I	0.00			0.21
Sales Transaction	05/05/2004	11:53	I#700787	I	0.00			0.21
Sales Transaction	05/10/2004	12:58	I#701284	I	0.00			0.21
Sales Transaction	05/17/2004	10:40	I#702112	I	0.00			0.21
Deposits			8	For\$	121.10			
Withdraws			3	For\$	-47.00			
Invoices			35	For\$	73.89			
Outstanding Debt				\$	43.00			

The plaintiff has owed  
 victim/witness fees since  
 the time of his incarceration (8 months)  
 he still owes \$43.00 and  
 only needs to pay that by today  
 - 30th day.

Eric Kelley )  
 5/23/04